

**MO'NIQUE FEAGIN,**

**Plaintiff,**

**v.**

**BLOCKBUSTER INC.,**

**Defendant.**

**THIS MATTER** comes before the Court on its own motion. On September 23, 2010, Defendant Blockbuster, Inc. (“Defendant”) filed a Notice of Bankruptcy, (Doc. No. 6), automatically staying this action. In re Blockbuster, Inc., No. 10-14997, (Bankr. S.D.N.Y.) (Doc. No. 1). In April 2011, Dish Network Corporation purchased Defendant’s assets out of bankruptcy. The Court ordered the parties to file a joint status report on December 5, 2011. (Doc. No. 7). The Court asked the parties to address whether Plaintiff Mo’nique Feagin’s (“Plaintiff”) claims survived Defendant’s bankruptcy, whether the stay in this case should be lifted, and whether Plaintiff must amend her complaint to name the proper party as the defendant. (Id.).

On January 4, 2012, the parties jointly responded that Dish Network purchased Blockbuster's assets, but did not assume liability on claims such as Plaintiff's suit. (Doc. No. 8). The parties further explained that the bankruptcy remained ongoing, the stay should remain in place, and that Plaintiff would eventually need to amend her complaint to name the proper party. (Id.).

On August 21, 2012, the Court again ordered the parties to file a joint status report.

(Doc. No. 9). On September 20, 2012, the parties responded that there had been no substantive

change in the status of the bankruptcy proceedings relative to this litigation since last status report on January 4, 2012. (Doc. No. 10). On February 20, 2013, the Court entered an order staying the case pending the outcome of the bankruptcy proceeding. (Doc. No. 11). Since then, both party's attorneys have withdrawn from this case, (Doc. Nos. 12 to 15), and it appears that Plaintiff and Defendant are both proceeding pro se at this time.

In light of the length of time of the stay in this action and the length of time the case has been dormant, the Court hereby orders the parties to again confer and file a joint status report within thirty (30) days of this Order, updating the Court on the progress of Defendant's bankruptcy and the continued viability, if any, of Plaintiff's claims. If the parties are unable to confer or cannot agree as to the status of this action, each party is directed to write its own status report and file it with the Court.

**IT IS, THEREFORE, ORDERED** that the parties shall file a joint status report within **thirty (30) days** of this Order.

Signed: January 20, 2016

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
United States District Judge

